

December 09, 2021
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: _____ JU
DEPUTY

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

JONATHAN VILLAREAL, INDIVIDUALLY AND DERIVATIVELY ON BEHALF OF ZROBLACK, LLC;

Plaintiff,

V.

JOHN SAENZ, MIGUEL VILLARREAL,
JR., GUNN, LEE & CAVE, P.C.,

Defendants.

CIVIL NO. SA-20-CV-00571-OLG

ORDER

This case is before the Court on United States Magistrate Judge Richard B. Farrer's Order Granting the Motion to Withdraw as Counsel for Plaintiffs Jonathan Villareal and ZroBlack, LLC filed by attorneys Charles M.R. Vethan and Joseph Lanza. *See* Dkt. No. 62 (the "Order"). In the Order, Magistrate Judge Farrer directed Plaintiff ZroBlack to obtain counsel and have them enter an appearance on the docket within 30 days from the date of the Order to avoid dismissal of its claims. *Id.* On November 18, 2021, Magistrate Judge Farrer issued a report and recommendation (the "R&R"), in which he recommended that all claims asserted by Plaintiff ZroBlack against the remaining Defendant John Saenz be dismissed for failure to obtain counsel within the time prescribed, pursuant to the Order. *See* Dkt. No. 75. Magistrate Judge Farrer afforded the parties fourteen days to file written objections to the R&R from the date it was served. *Id.* No party has objected to the R&R in the time allotted.

When no party objects to a magistrate judge's recommendation, the Court need not conduct a de novo review of the entire record. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and

recommendations to which objection is made.”); Fed. R. Civ. P. 72(b). Rather, the Court need only review the magistrate judge’s recommendation to determine whether it is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). After reviewing the R&R and the papers on file in this case, the Court concludes that Magistrate Judge Farrer’s report and recommendation is correct and should be adopted.

It is therefore **ORDERED** that Magistrate Judge Farrer’s recommendation (Dkt. No. 75) is **ADOPTED IN FULL**.

It is **FURTHER ORDERED** that all claims asserted by Plaintiff ZroBlack’s against the remaining Defendant Saenz are **DISMISSED WITH PREJUDICE**.

It is so **ORDERED**.

SIGNED this 9th day of December, 2021.



ORLANDO L. GARCIA
Chief United States District Judge